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The rule of law at the national and international levels

Letter dated 2 July 2008 from the Permanent Representative of Mongolia to the United Nations addressed to the Secretary-General

Upon instructions from my Government I have the honour to transmit herewith presidential decree No. 194, dated 1 July 2008, and recommendation of the National Security Council No. 12/18, dated 2 July 2008, on the state of emergency declared in Ulaanbaatar, Mongolia (see annex).

I should like to seek your kind assistance in circulating the present letter together with the enclosed documents as a document of the General Assembly, under agenda item 86.

(*Signed*) Enkhtsetseg **Ochir**
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of Mongolia

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Annex to the letter dated 2 July 2008 from the Permanent Representative of Mongolia to the United Nations addressed to the Secretary-General

Presidential Decree No. 194

1 July 2008

Whereas mass disorder occurred due to the aggravated actions of property destruction and fire-setting, actions against law enforcement officers and threat to their lives, as well as disorder among the citizens caused by violent actions of a group of persons in the territory of the Sukhbaatar District on 1 July 2008,

For the purpose of elimination of such emergent consequences and normalization of the population's social life,

Pursuant to the full powers granted by paragraph 12 of article 33 of the Constitution of Mongolia and in accordance with paragraphs 3 and 6 of article 5 of the Law on Emergency,

A state of emergency is declared hereby for four days starting from 23 hours 30 minutes on 1 July 2008 in the territory of the capital city of Ulaanbaatar.

The following measures are decreed to be taken during the period of the declared emergency:

1. To strengthen the security of the facilities of the State of top significance and the facilities of the population's life supply.

2. Using means and forces permitted by the law, to force the direct break-up of demonstrations and other mass activities organized in violation of the legislation.

3. To restrict the movement of traffic in the central part of the city of Ulaanbaatar and to check motor vehicles.

4. To force the dispersion and arrest of a group of persons who created and are creating the mass disorder as well as those who committed and are committing actions of violence, and to confiscate their arms and technical devices.

5. To impose a curfew from 22 p.m. to 8 a.m. in the central part of the city of Ulaanbaatar, i.e., in the street of Baga Toiruu, and, during the period of the curfew, to arrest the persons who break the curfew and have no citizen's identification cards or any other identification documents with forces of the police or military patrol for a period of up to 72 hours until the person is identified.

6. To ban the use of technical devices of sound intensification, to seize them temporarily if necessary, and to stop activities of all televisions except for the National Public Television and Radio during the period of the state of emergency.

7. To prohibit the sale and distribution of alcoholic beverages.

8. To impose control over the use of fire-arms, cold arms and other ammunition held by individuals, explosives and virulently poisonous chemical and radioactive substances used in production technology by business entities and enterprises, and military arms and technical devices used for training.

9. To charge the Minister of Justice and Internal Affairs, Ts.Munh-Orgil, with the organization and administration of actions necessary for the implementation of this Decree with use of the forces of relevant authorities in accordance with the Law on Emergency and other laws.

N. **Enkhbayar**
President of Mongolia

Recommendation No. 12/18 of the National Security Council of Mongolia

2 July 2008

On 1 July 2008, illegal activities by a group of people involving the use of force on the territory of Sukhbaatar District of the capital city led to public disorder, and substantial damage was caused through acts of vandalism against private and public property, the setting on fire and looting of buildings and valuable cultural objects, the violation of personal freedom and bodily harm to police personnel and media workers on duty etc.

With the purpose of dealing with such emergency situation and to mitigate the consequences thereof, and to restore normal conditions of life for the population and society, the President of Mongolia has decreed a four-day State of Emergency on the territory of the capital city Ulaanbaatar effective from 2400 hrs on 1 July 2008 in compliance with relevant provisions of the Constitution and the Law on Emergency.

The meeting of the National Security Council convened in the follow-up to this decision has established an Emergency Command Centre to implement the measures provided for in the Decree of the President.

In light of the current situation it recommends that:

1. The political parties refrain from inciting the population to carry out illegal actions, refrain from disturbing the social order and peace of the people, urge their members and supporters to abide by the law, solve any disputes arising from the election through the competent organizations in accordance with the law, and exert collective efforts to find a sound political solution to the current situation.

2. The media report on the situation accurately and refrain from distributing information that justifies and/or encourages illegal acts.

3. The people and civil society organizations not give in to any provocations creating or inciting social disorder, assist and cooperate in lawful actions of the law enforcement organizations and State and government agencies directed at suppressing such illegal acts, keep a constant eye on adolescents and young children to prevent them falling victim to the disorderly actions, and exercise public control to ensure personal safety and social order.